

DELEGATED REPORT

Report by Claire Booth	Date of report: 10/07/2026	Ref: 73241/CONDIS
Registration: 22/05/2026	LDfC: 24/06/2026	Expiry Date: 17/07/2026
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections:	Con Area:	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: NREQ

Proposal: Application to discharge condition 19 (car park management plan) and part discharge condition 41 (site verification report) on Phase 1A Plot G (travel hub) on planning permission 70449

Location: Longfield Shopping Centre/Car Park, Fairfax Road Car Park & adjoining land at Bury New Road, Rectory Lane & Fairfax Road, Prestwich

Description

The application seeks to re-discharge pre-commencement condition nos. 19 (Car Park Management Plan) and part discharge condition 41 (site verification report) relating to Phase 1A, Plot G (Travel Hub) pursuant to planning permission 70449.

Condition 19 required the following:

Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the Travel Hub hereby permitted shall not be brought into first use unless and until a car park management plan has been submitted to and approved in writing by the local planning authority.

The car park management plan must be implemented in full accordance with the details approved under this condition before the development is first occupied or brought into first use and shall be maintained and operated in accordance with the approved plan in perpetuity.

Reason: To ensure that adequate car parking arrangements are provided to serve the development in accordance with Policy JP-C8: Transport Requirements of New Development of the Greater Manchester Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Condition 41 required the following:

Following the provisions of Condition 38 of this planning permission, where remediation is required on any relevant phase or sub-phase, the approved Remediation Strategy must shall be carried out to the satisfaction of the Local Planning Authority within agreed timescales for that phase or sub-phase; and a Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

Reason: To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

Relevant Planning History

70449 - Hybrid Planning Application constituting EIA Development comprising:

Full application for demolition of existing buildings/structures and erection of phased mixed use development including Community Hub with flexible uses of library, offices, medical/health services (Classes F1 (a-f), F2(b), E(c), E(e), E(g)) & retail uses (Classes E(a), E(b) F2(a)) & Sui Generis (hot food takeaway & bar), new Market Hall (Classes E(a), E(b) & Sui Generis (hot food takeaway and bar)), Commercial Building with flexible uses including retail, offices, gymnasium (Classes E(a), E(b), E(c), E(d), E(g), F2(a), Travel Hub with car parking & cycle parking (Sui Generis), public square & realm, associated landscaping, car parking provision, cycle storage & associated works; and,

Part Outline application (all matters reserved) - mixed use development of residential (Class C3), flexible commercial, business, service, local community & learning uses (Classes E, F) & Sui Generis (hot food takeaway & bar), engineering works to Rectory Lane, new public realm, associated landscaping, car parking provision, cycle storage & associated works.

Approved with Conditions and subject to a S106 agreement, 26/09/2024

Publicity

Not applicable.

Statutory/Non-Statutory Consultations

Traffic Section - No objections to Condition 19 being discharged relating to Phase 1A of the development.

Environmental Health - Contaminated Land - Condition 41 relating to Phase 1A can be discharged.

Car Parking Services - No objections to Condition 19 being discharged relating to the approved Travel Hub.

Pre-start Conditions - Applicant/Agent [Not relevant/has/has not] agreed with pre-start conditions

Development Plan and Policies

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within the adopted Bury Unitary Development Plan (UDP), together with other relevant material planning considerations.

The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP and PfE Policies will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Equality Act 2010: All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:

The elimination of discrimination, harassment and victimisation;

The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;

The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights: All planning applications are considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, ie peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Bury Unitary Development Plan 1997 and all material planning considerations, it is concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

The Crime and Disorder Act 1998 imposes (without prejudice to any other obligation imposed on it) a duty upon the Council to exercise its functions and have due regard to the likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. In so doing and on making planning decisions under the Town and Country Planning Acts, the material Planning considerations shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

Condition 19 (Car Park Management Plan for Phase 1A: Travel Hub)

The following Information has been submitted to discharge condition 19 of the consented development:

- Car Park Management Plan (version V1_1)

Both the Council's Car Parking Section and Local Highway Authority have reviewed the submitted Car Park Management Plan and raise no objections to its contents. On this basis the condition can be discharged provided the car park management plan is implemented in full accordance with the details approved under this condition before the development is first occupied or brought into first use and shall be maintained and operated in accordance with the approved plan in perpetuity.

Condition 41 (Site Verification for Phase 1A)

The following Information has been submitted to discharge condition 41 for Phase 1A Plot G of the consented development:

Piling Risk Assessment, prepared by Vertase FLI (ref: 2066VIN-PRA v1);
Definition of Waste Code of Practice Declaration Receipt (17-04-2025);
Environmental Monitoring Data, prepared by Vertase FLI;
Mark-Up of Soil Samples (04-05-2026);
Materials Management Plan (October 2014), signed by Vertase FLI;
Photo Log Template, prepared by Vertase FLI; and
Soil Analysis Report, prepared by Tim O'Hare Associates (20-05-2026).

The Council's Environmental Health Officers have reviewed the submitted details and are

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satisfied that the submitted details prove that the site has been satisfactorily remediated and the site is therefore safe to use and no further information is required. On this basis the condition can be discharged.

Conclusion

The information submitted satisfies the requirements of the conditions. The site has been remediated to a safe standard for future users of the Travel Hub. The Car Park Management Plan is also satisfactory and provided the provided the car park management plan is implemented in full accordance with the details approved under this condition before the development is first occupied or brought into first use and shall be maintained and operated in accordance with the approved plan in perpetuity, the condition will be fully discharged.

Recommendation: Approve

Conditions and Reasons:

1 In respect of Sub Phase - Phase 1A only pursuant to planning application 70449:

Condition no. 19 (Car Park Management Plan) has hereby been discharged in accordance with the following drawings and documents received:

- Car Park Management Plan (version V1_1)

Provided the management of the Travel Hub is implemented/ managed in full accordance with the details and timeframes approved under this condition, the condition will be complied with.

Condition 41 (Site Verification) has hereby been discharged for Phase 1A pursuant to planning application 70449.

Submitted Details

- Piling Risk Assessment, prepared by Vertase FLI (ref: 2066VIN-PRA v1);
- Definition of Waste Code of Practice Declaration Receipt (17-04-2025);
- Environmental Monitoring Data, prepared by Vertase FLI;
- Mark-Up of Soil Samples (04-05-2026);
- Materials Management Plan (October 2014), signed by Vertase FLI;
- Photo Log Template, prepared by Vertase FLI; and
- Soil Analysis Report, prepared by Tim O'Hare Associates (20-05-2026).

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
CB	10/07/2026	DM	10/7/26